

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	
JAMIE EDELKIND,)	Criminal No. 04-10066-001-MEL
)	
defendant.)	

**GOVERNMENT'S OPPOSITION TO MOTION TO CONTINUE
DATE FOR SENTENCING AND FOR A STATUS CONFERENCE**

Defendant Jamie Edelkind has moved for a continuance of the June 20, 2005 sentencing date in this action and has requested a status conference. As grounds therefore, the Defendant's counsel states that he requires additional time to prepare adequately for sentencing, and that he has recently filed three motions on the Defendant's behalf that are best addressed prior to sentencing. The United States opposes the Defendant's motion for a continuance and status conference.

The jury returned its verdict on March 8, 2005. Sentencing in this action was originally scheduled for May 24, 2005, and according to his Comments on and Objections to Initial Presentence Report, the Defendant wished to go forward with sentencing on that date, but a continuance until June 20, 2005 was granted based on the request of the U.S. Probation Office. The Defendant timely submitted ten pages of objections to the Presentence Report. The Defendant has been represented by counsel since his conviction on March 8, and has been represented by his current counsel since April 15, 2005. The Defendant's counsel has not put forth any basis for his claim that he cannot adequately prepare for sentencing on June 20, 2005, especially in light of his original opposition to any delay in sentencing.

With regard to the Defendant's three recently filed motions, the Court has already denied timely motions which raised the same issues. Sentencing should not be delayed pending a determination of the Defendant's untimely, meritless motions.

CONCLUSION

For the foregoing reasons, the Court should deny the Defendant's Motion to Continue Date for Sentencing and for a Status Conference.

Respectfully submitted,
MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Kristina E. Barclay
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Dated: June 9, 2005

CERTIFICATE OF SERVICE

This is to certify that a true copy of the above document was served upon counsel for the defendant Jamie Edelkind, addressed as follows:

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Dated: June 9, 2005

/s/ Kristina E. Barclay
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